

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

| | | |
|---------------------------------------|---|--------------------------|
| ANTHONY RICHARDS, SR., # 243 996, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | CASE NO. 1:07-CV-261-WKW |
| |) | |
| DAVE SUTTON, SHERIFF, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |

ORDER

There being no objections filed to the Recommendation of the Magistrate Judge (Doc. # 50), and after an independent review, it is ORDERED that:

- (1) The Recommendation is ADOPTED;
- (2) Plaintiff's claims against Dr. Meloni and Dallas Gibson are DISMISSED without prejudice for lack of service in accordance with Federal Rule of Civil Procedure 4(m);
- (3) Defendants Sutton and Moss's motion for summary judgment (Doc. # 29) is GRANTED;
- (4) This claims against Defendants Sutton and Moss are DISMISSED with prejudice;
- (5) The costs of this proceeding shall be TAXED against the Plaintiff.

DONE this 9th day of September, 2009.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE